

JUSTIFICATION AND APPROVAL
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition Operations
Technology Acquisition Center-Austin
1701 Directors Blvd., Suite 600
Austin, Texas 78744
2. Description of Action: This proposed action is for a Firm-Fixed-Price Delivery Order (DO) to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC) to acquire Cisco fabric interconnect software licenses and associated SmartNet warranty for the Department of Veterans Affairs (VA) Office of Information and Technology (OIT) Service Delivery Engineering (SDE) Research and Development Computing Center (RDCC). VA requires delivery within 30 days after receipt of order with a one year SmartNet warranty.
3. Description of Supplies or Services: The proposed action is to acquire Cisco Systems fabric interconnect software licenses and associated SmartNet warranty for the expanding requirements of the RDCC's Local Area Network (LAN) and its Wide Area Network (WAN) infrastructure. The RDCC's LAN/WAN infrastructure is a data communication network that VA uses to process research grant submissions data and transmit it to various VA facilities and other Government agencies. VA uses the RDCC's LAN/WAN infrastructure to process several million dollars of grants money. It is anticipated that these grants will continue to increase along with the reporting requirements, both of which require the RDCC to process and transmit more data. The proposed licenses will expand and enhance the RDCC's LAN/WAN infrastructure by providing uninterrupted access through fast switching, which improves the responsiveness, availability, scalability, and security of the VA Information Technology (IT) assets supporting the RDCC. The SmartNet warranty will allow for remedying software defects as well as enhancing and optimizing software; it includes all new fixes, patches, corrections, releases, updates, versions, and upgrades to the software. Technical support consists of 24x7x365 assistance for the software via telephone, e-mail, and internet, and ensuring the software remains operational. The total estimated value of the proposed action, including licenses and warranties, is \$50,261,000.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is 41 U.S.C. 4106(c) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized".
5. Rationale Supporting Use of Authority Cited Above: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Cisco is the Original Equipment Manufacturer (OEM) of the Cisco fabric interconnect licenses and

associated SmartNet warranties, and only Cisco products are capable of meeting all of the Government's requirements. Cisco licenses and warranties are required in order to communicate with the VA's Cisco Unified Computing System (UCS) currently installed in the RDCC network environment. Due to the proprietary nature of the Cisco UCS hardware, only Cisco licenses can communicate with the Cisco UCS hardware.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Although the Government is limiting competition as a result of specifying brand name services, there are multiple authorized resellers of Cisco licenses on NASA SEWP. Limited competition among these vendors is anticipated. In accordance with FAR 5.301 and 16.505(b)(2)(D)(1)(i), this action will be synopsisized at award on the Federal Business Opportunity Page and the justification will be made publicly available.

7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.

8. Market Research: In February 2013, the Government's technical team reviewed similar IT solutions on the internet to determine if any other brand name software could meet VA's functionality requirements. The technical team reviewed solutions by SmartPath and Brocade. The RDCC network infrastructure is currently using a Cisco UCS. Introducing new solutions such as SmartPath and Brocade, into the existing UCS network infrastructure would require significant investment to replace the viable network infrastructure currently in use at the RDCC. Brocade and SmartPath are not viable solutions due to interoperability issues with the RDCC's existing infrastructure. The licenses will be used to open ports on a VA-owned UCS, which is in use at the RDCC and is currently underutilized by 75%. Based on the market research, the technical experts concluded that the Cisco Fabric Interconnect software licenses are the only commercially available products compatible with the RDCC's current infrastructure

9. Other facts: Not Applicable.